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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 9 August 2010 from the Permanent Mission of Germany to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Germany to the United Nations has the honour to transmit herewith a report on the implementation of the measures approved by the Security Council in its resolution 1929 (2010) (see annex).

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Annex to the note verbale dated 9 August 2010 from the Permanent Mission of Germany to the United Nations addressed to the Chairman of the Committee

Report of Germany to the Security Council Committee established pursuant to resolution 1737 (2006)

I. Measures adopted by the European Union

Germany and the other member States of the European Union have jointly implemented the restrictive measures against Iran imposed by Security Council resolution 1929 (2010) by taking the following common measures:[1]

Council Decision 2010/413/CFSP of 26 July 2010

The Council Decision sets out the European Union's commitment to implementation of all the measures contained in Security Council resolution 1929 (2010), and provides the basis for European Union-specific accompanying measures within the scope of the resolutions, notably:

- Export ban on certain other items, in addition to those determined by the Security Council or the sanctions committee, which could contribute to Iran's nuclear-related programme or other weapons of mass destruction-related programmes
- Autonomous designations under the visa ban and the asset freeze, to be decided by the Council of the European Union, of persons and entities involved in proliferation-sensitive nuclear activities or in violations of Security Council resolutions, of individuals and entities of the Islamic Revolutionary Guard Corps and of the Islamic Republic of Iran Shipping Lines and its subsidiaries
- Enhanced vigilance over the activities of financial institutions within the jurisdiction of European Union member States with banks and financial entities linked to Iran, notably through a prior authorization regime for all transactions above a certain amount
- Prohibition to open new branches and subsidiaries of Iranian banks in the European Union and to establish new banking relationships with Iranian banks
- Prohibition to provide insurance and reinsurance to Iranian entities
- Prohibition of sale, purchase and brokering of governments bonds
- Measures in the transport sector concerning the prohibition for Iranian cargo flights to have access to European Union airports and the prohibition to provide engineering and maintenance services to Iranian cargo flights

[1] All common measures are published in the *Official Journal of the European Union*, available from http://eur-lex.europa.eu.

Council implementing Regulation (EU) No. 668/2010 of 26 July implementing article 7 (2) of the Council Regulation (EC) No. 423/2007 on restrictive measures against Iran

In addition to the Council Decision, the Council adopted a Regulation implementing article 7 (2) of the Council Regulation (EC) No. 423/2007 on restrictive measures against Iran in order to legally enforce the asset freeze for the new EU autonomous designations of persons and entities.

Council Regulation amending Council Regulation (EC) No. 423/2007 on restrictive measures against Iran

The Council will adopt in the near future a Council Regulation amending Council Regulation (EC) No. 423/2007 in order to implement the measures provided for in Council Decision 2010/413/CFSP of 26 July, which fall under the competence of the European Union.

Commission Regulation (EU) No. 532/2010

The Commission Regulation No. 532/2010 amends the Council Regulation by including the persons and entities designated by the Security Council on 9 June 2010 in the list of persons, entities and bodies subject to the asset freeze as set out in annex IV to Council Regulation No. 423/2007.

Council Regulation (EC) No. 539/2001 of 15 March 2001 (and its subsequent amendments)

This Regulation requires nationals of Iran to be in possession of a visa when entering the European Union.

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all member States of the European Union. Regulation (EC) No. 423/2007 requires member States to determine the penalties applicable to infringements of their provisions. The penalties determined by Germany are set out in the following legislation:

Criminal penalties for the violation of the directly applicable provisions of Council Regulation (EC) No. 423/2007 and its amendments are imposed on the national level pursuant to section 34, paragraph 4, No. 2, of the Foreign Trade and Payments Act.

The penalty imposed by section 34, paragraph 4, of the Foreign Trade and Payments Act is a term of imprisonment of up to five years. Any attempt to violate will be punished in the same way. Violations due to negligence are sanctioned with imprisonment of up to three years or fines (section 34 (7) of the Foreign Trade and Payments Act).

II. National implementing measures

Comprehensive national implementing measures have been adopted pursuant to previous Security Council resolutions (see report of Germany submitted pursuant to paragraph 19 of Council resolution 1737 (2006) (S/AC.50/2007/37), paragraph 8 of Council resolution 1747 (2007) (S/AC.50/2007/98) and paragraph 13 of Council

resolution 1803 (2008) (S/AC.50/2008/15)). No additional national implementing measures are required pursuant to Council resolution 1929 (2010).

Iranian nationals travelling to Germany require a visa when entering the European Union. Travel restrictions are being implemented through the visa application process.